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Attorneys for Defendant  
 Wells Fargo Bank, N.A.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

ANTONIO JULIO, AN INDIVIDUAL;  
 CLEOPATRA JULIO, AN INDIVIDUAL,

Plaintiffs,

vs.

WELLS FARGO BANK, A NATIONAL ASSOCIATION;  
 US BANK, A NATIONAL ASSOCIATION; STANTON  
 MORTGAGE, INC., A BUSINESS ENTITY, FORM  
 UNKNOWN; ELSIE FOSTER, AN INDIVIDUAL; AND  
 DOES 1 THROUGH 50 INCLUSIVE,

Defendants.

Case No.: CV11-00696 LHK

**DEFENDANT WELLS FARGO BANK,  
 N.A.'S REQUEST TO APPEAR  
 TELEPHONICALLY AT THE HEARING  
 ON MOTIONS TO DISMISS AND CASE  
 MANAGEMENT CONFERENCE**

Hearing Date: May 19, 2011  
 Time: 1:30 p.m.  
 Dept: Courtroom 4, 5<sup>th</sup> Floor  
 Judge: The Hon. Lucy H. Koh

Complaint Date: December 28, 2010

PLEASE TAKE NOTICE that defendant WELLS FARGO BANK, N.A. ("Defendant") respectfully requests to appear telephonically at the hearing on its Motion to Dismiss set for May 19, 2011 at 1:30 p.m. in Courtroom 4, 5<sup>th</sup> Floor of the San Jose Courthouse.

Defendant also requests to appear telephonically at the Case Management Conference set for hearing on May 19, 2011, following the motion hearing.

Good cause exists to grant these requests because counsel would be required to travel from San Francisco to San Jose and defendant will incur significant travel costs and attorney's fees. Defendant believes the objectives of the motion to dismiss and the case management conference can be accomplished if defendants appear by telephone.

1 The undersigned counsel's direct landline telephone number is 415-677-5500.

2 DATED: April 6, 2011

SEVERSON & WERSON

3 A Professional Corporation

4  
5 By: /s/ Ian Da Cunha  
Ian Da Cunha

6 Attorneys for Defendant  
7 Wells Fargo Bank, N.A.  
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**PROOF OF SERVICE**

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Francisco, California; my business address is Severson & Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

On the date below I served a copy of the following document(s):

**DEFENDANT WELLS FARGO BANK, N.A.'s REQUEST TO APPEAR  
TELEPHONICALLY AT THE HEARING ON MOTIONS TO DISMISS AND CASE  
MANAGEMENT CONFERENCE**

on all interested parties in said case addressed as follows:

Antonio Julio  
Cleopatra Julio  
3407 Rio Bravo Drive  
San Jose, CA 95148

**Tel: 408-223-2698**  
**Fax:**

***In Pro Per Plaintiffs***

☒ **(BY MAIL)** By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California in sealed envelopes with postage fully prepaid.

☐ **(BY HAND)** By placing the documents in an envelope or package addressed to the persons listed above and providing them to a professional messenger service for delivery.

☐ **(BY FEDERAL EXPRESS)** By depositing copies of the above documents in a box or other facility regularly maintained by Federal Express with delivery fees paid or provided for.

☐ **(BY EXPRESS MAIL)** By placing the above documents in the United States mail for Express Mail delivery at One Embarcadero Center, Suite 2600, San Francisco, CA 94111, in a sealed envelope addressed as above, with Express Mail postage thereon fully prepaid.

☐ **(BY FAX)** By use of facsimile machine telephone number (415) 956-0439, I faxed a true copy to the addressee(s) listed above at the facsimile number(s) noted after the party's address. The transmission was reported as complete and without error. The attached transmission report, which sets forth the date and time for the transmission, was properly issued by the transmitting facsimile machine.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

This declaration is executed in San Francisco, California, on April 6, 2011.

/s/Isabel Kunst

Isabel Kunst

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